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Intellectual Property Law

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FACSIMILE TRANSMISSION COVER SHEET

DATE:

October 31, 2005

TO:

Mail Stop Amendment Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

RE:

U.S. Patent Application No. 10/782,631 For: Carpet Using Unused Yarn

Our Ref: 3620-071-01

FROM:

Luke A. Kilyk, Esq.

FAC. TEL. NO.:

1-571-273-8300

NUMBER OF PAGES (INCLUDING THIS COVER SHEET): 13

Items Attached:

Second Supplemental Information Disclosure Statement -- 2 pages

Form PTO-SB-08 -- 1 page 1 document -- 9 pages

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. 1-571-273-8300 on October 31, 2005.

Kim Blum Name of Person signing Certificate

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Kim Blum
Name (Print)
Signature

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: GUESS

Application No.: 10/782,631

Filed: February 19, 2004

Docket No. 3620-071-01

Examiner: Unassigned

Group Art Unit: 3765

Confirmation No.: 5106

For: CARPET USING UNUSED YARN

## SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT PURSUANT TO 37 CFR 1.97(b)

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

October 31, 2005

Sir:

The attention of the Patent and Trademark Office is hereby directed to the documents listed on the attached Form PTO-SB-08. Pursuant to the current United States Patent and Trademark Office rules, no copies of U.S. Patents/Patent Application Publications are provided.

This Information Disclosure Statement is being submitted after expiration of the three-month period following filing of the above-captioned application but before any Final Office Action or Notice of Allowance.

The undersigned hereby certifies that each item of information contained in this statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.

The above information is presented so that the Patent and Trademark Office can, in the first instance, determine any materiality thereof to the claimed invention. See 37 CFR 1.104(a) and

Supplemental Information Disclosure Statement U.S. Patent Application No. 10/782,631

1.106(b) concerning the PTO duty to consider and use any such information. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the documents cited in the attached Form PTO-SB-08 be made of record therein and appear on the first page of any patent to issue therefrom.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in this application and applicant determines that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

It is believed that no fee is required to make this a complete and timely filing. However, if it is determined that a petition or fee is required, the Commissioner is hereby authorized to charge any fee associated with this statement to our Deposit Account No. 50-0925.

Respectfully submitted,

Luke A. Kilyk

Reg. No. 33,251

Atty. Docket No.: 3620-071-01 KILYK & BOWERSOX, P.L.L.C. 400 Holiday Court, Suite 102 Warrenton, VA 20186

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Enclosure: Form PTO-SB-08 with 1 document

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PTO/SB/08a (05-03)
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					Complete if Known		
Substitute fo	r form 1449A/	PTO			Application Number 10/782,631  Filling Date February 19, 2004  First Named Inventor GUESS		
					Filing Date	February 19, 2004	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)						GUESS	
				CANT	Art Unit	3765	
				sary)	Examiner Name	Unassigned	
Sheet	1		of	1	Attorney Docket Number	3820-071-01	

		NON PATENT LITERATURE DOCUMENTS  LEGISLA STATE STATES (IN CAPITAL LETTERS), title of the article (when appropriate), title of the item		
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		publisher, city, and/or country where published.  Copy of International Preliminary Report on Patentability and Written Opinion for PCT/US2004/007814  dated September 29, 2005.		
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